

**TOWNSHIP OF MANSFIELD  
BURLINGTON COUNTY  
MEETING MINUTES  
September 19, 2018  
Executive Session – 4:30PM  
Regular Session – 6:00PM**

The Regular Meeting of the Mansfield Township Committee was held on the aforementioned date with the following in attendance: **Mayor Robert Higgins, Deputy Mayor Janice DiGiuseppe, Committeeman Sean Gable, Committeeman Michael Magee** (in part via telephone), **Committeeman Frederick Cain, Township Administrator Michael Fitzpatrick, Township Solicitor John Gillespie, Deputy Treasurer Bonnie Grouser, Deputy Clerk Caitlin Midgette, and Municipal Clerk Linda Semus.**

**Mayor Higgins** called the meeting to order at 4:31PM, followed by the following opening statement read by **Municipal Clerk Semus**:

**Public notice of this meeting pursuant to the Open Public Meetings Act NJSA 10:4-6 to 10:4-21 has been satisfied. Notice of this meeting was properly given in the annual notice, which was adopted by the Mansfield Township Committee on January 3, 2018. Said Resolution was transmitted to the Burlington County Times and the Trenton Times, filed with the Clerk of the Township of Mansfield, posted on the official bulletin board at the Municipal Complex, filed with the members of this body and mailed to each person who has prepaid any charge fixed for such service. All of the mailing, posting, and filing having been accomplished as of January 7, 2018.**

**EXECUTIVE SESSION**

**RESOLUTION 2018-9-6  
RESOLUTION AUTHORIZING CLOSED EXECUTIVE SESSION**

**WHEREAS**, Section 7 of the Open Public Meetings Act, Chapter 213, P.L. 1975 [NJSA 10:4-12(B)] permits the exclusion of the public from a meeting in certain circumstances; and,

**WHEREAS**, this public body is of the opinion that such circumstances presently exists;

**NOW, THEREFORE, BE IT RESOLVED** by the Township Committee of the Township of Mansfield, County of Burlington and State of New Jersey as follows:

1. The public shall be excluded from discussion of, action on and reviewing the Minutes of the hereinafter specified matters.
2. The general nature of the subject matter to be discussed is as follows:  
*Litigation, Potential Litigation, Contracts, Personnel Matters*
3. It is anticipated at this time that the above subject matter will be made public when the matter has been resolved and approved for release by the Township Solicitor.

A motion was offered by **Committeeman Cain** and seconded by **Committeeman Gable** to adopt Resolution 2018-9-6 and convene into Executive Session. Motion carried. Township Committee entered the same at 4:35PM. **Committeeman Magee** joined via phone conversation at 4:38PM, and left the same at 5:08PM.

A motion was offered by **Committeeman Cain** and seconded by **Committeeman Gable** to exit Executive Session. Motion carried. Township Committee returned to public session at 6:13PM.

The above was followed by the Flag Salute and moment of silence.

**Township Solicitor Gillespie** explained that the purpose of Executive Session was to discuss pending litigation, the sale of municipal property, and personnel matters. No formal action was taken in the same.

**APPEARANCE**

- Tim Tyler, Burlington County Clerk: KIA Flag

Tim Tyler, Burlington County Clerk, presented to Township Committee an official KIA flag to be displayed in front of government buildings.

**APPEARANCE**

- Assemblyman Ryan Peters, 8<sup>th</sup> Legislative District

Assemblyman Ryan Peters appeared before Township Committee, offering support on certain projects within the municipality. Moreover, Mr. Peters stated that he has introduced a constitutional amendment with the purpose of restoring funding from energy receipt taxes to municipalities as originally intended, the same of which has been held by the State of New Jersey since the 1970s. The State has retained 2.3 million dollars of energy receipt taxes specifically for Mansfield Township, and he hopes to return funding to the municipality equal to that of 2009 levels, resulting in an approximate amount of \$220,000 restored to the municipal budget. Accordingly, Mr. Peters stated that a resolution supporting the same will be forwarded to Township Committee for consideration.

**Mayor Higgins** thanked Mr. Peters for facilitating the grant to help develop the Mapleton Community during his time as a Burlington County Freeholder, and stated that he looks forward to working with Mr. Peters in the future.

**Committeeman Gable** explained to Mr. Peters that the township has been working with the NJDOT to install an emergency beacon at the Municipal Complex, and though an agreement for the same has already been executed, the project has yet to begin. Mr. Peters requested that details of the project be forwarded to his office so the same may be potentially expedited.

### **ENGINEER'S REPORT**

A motion was offered by **Committeeman Gable** and seconded by **Committeeman Cain** to accept the Engineer's Report. Motion carried.

### **ORDINANCES**

**Committeeman Magee** joined the meeting via phone call at 6:27PM to vote on the following ordinances.

#### **ORDINANCE 2018-12**

#### **AN ORDINANCE OF THE TOWNSHIP OF MANSFIELD, COUNTY OF BURLINGTON, STATE OF NEW JERSEY AMENDING CHAPTER 42 OF THE CODE OF THE TOWNSHIP OF MANSFIELD TO REESTABLISH THE POSITION OF CLEAN COMMUNITIES COORDINATOR**

**WHEREAS**, the Township of Mansfield had created the position of Clean Communities Coordinator well over two decades ago; and

**WHEREAS**, said title, "Clean Communities Coordinator" was inadvertently omitted from the Salary Ordinances, (Ordinance 2013-1); and

**WHEREAS**, upon recognizing this inadvertent omission from the Salary Ordinance, the Township Committee desires and deems it necessary to reinsert the said position, set forth the duties and responsibilities for said position and to establish the salary and compensation to be afforded said position; and

**NOW, THEREFORE, BE IT ORDAINED AND ESTABLISHED** by the Committee of the Township of Mansfield, in the County of Burlington and State of New Jersey as follows:

The Code of the Township of Mansfield is hereby amended by re-inserting thereto the position of Clean Communities Coordinator.

**A. Job responsibilities:**

1. Work with the County Clean Community Director and the NJ Clean Communities Council, in conjunction with the NJ Dept. Of Environmental Protection;
2. To implement a comprehensive program of litter abatement, Education, and enforcement consistent with the guidelines set for by the State;
3. Enlist the services of volunteers and volunteer groups to assist in locally sponsored cleanup programs by adopting streets, roadways, parks and neighborhoods;
4. Provide all equipment needed for volunteers to do the clean-up;
5. Keep and maintain accurate records of all volunteers/volunteer groups and the areas they cleaned;
6. Prepare any and all reports to be submitted to both the County Clean Community Director and the NJ Clean Communities Council;
7. Provide the Township Finance Office with documents to support purchase orders to be paid to volunteers/volunteer groups not to exceed \$250.00 per street/roadway/park or neighborhood and for any and all indirect costs.

**B. Compensation:**

1. Salary Range will be: from 1 to 5 percent (1% to 5%) of the total grant received, which percentage will be determined by Township Committee, by Resolution.

#### **REPEALER, SEVERABILITY AND EFFECTIVE DATE.**

**A. Repealer.** Any and all Ordinances inconsistent with the terms of this Ordinance are hereby repealed to the extent of any such inconsistencies.

**B. Severability.** In the event that any clause, section, paragraph or sentence of this Ordinance is deemed to be invalid or unenforceable for any reason, then the Township Committee hereby declares its intent that the balance of the Ordinance not affected by said invalidity shall remain in full force and effect to the extent that it allows the Township to meet the goals of the Ordinance.

**C. Effective Date.** This Ordinance shall take effect upon proper passage in accordance with the law.

**Deputy Mayor DiGiuseppe** inquired if an employee was currently serving in the capacity of the Clean Communities Coordinator. **Municipal Clerk Semus** stated that upon adoption of the aforementioned ordinance, a resolution will be presented appointing an individual to fulfill the role.

**Mayor Higgins** opened the floor to public hearing on Ordinance 2018-12. There being no comments, the public hearing was closed.

A motion was offered by **Committeeman Gable** and seconded by **Committeeman Cain** to adopt Ordinance 2018-12. Motion carried on a Roll Call Vote, as follows:

**AYE: GABLE, CAIN, MAGEE, DIGIUSEPPE, HIGGINS**  
**NAY: ABSTAIN: ABSENT:**

**ORDINANCE NO. 2018-13**  
**AN ORDINANCE TO AMEND THE CODE OF THE TOWNSHIP OF**  
**MANSFIELD CHAPTER 60 THEREOF, "TRAFFIC CONTROL"**

**NOW, THEREFORE, BE IT ORDAINED AND ESTABLISHED** by the Committee of the Township of Mansfield, in the County of Burlington and State of New Jersey, as follows:

**Chapter 60 entitled Traffic Control is amended as follows:**

**Chapter 60-8.3 BY ADDING SUBSECTIONS "C and D"**

**C. All Roadways Throughout Township. Tow-Away Zone.** In addition to any ticket to be written under N.J.S.A. 39:4-198 for improper parking violations, in the opinion of the law enforcement officer, any vehicle parked or standing as to obstruct or impede a normal flow of traffic, or block entrances or exit ways, driveways, loading zones, no parking zones, oil -fills, any grassy area pedestrian walkway, or present in any way a safety or traffic hazard may be removed by towing the vehicle at the owner's or operator's expense.

**D. All Roadways Throughout Township. Enforcement.** Any law enforcement officer shall enforce this section. Private Citizens may identify a violation and report it to the police. Only a law enforcement officer or fire official acting in his official duty may take action to tow a vehicle. In the discretion of the law enforcement officer, of fire official, that officer or official may take reasonable efforts to notify the vehicle owner and request that the vehicle be moved to a proper location prior to initiating a tow request. The registered owner shall be responsible for the cost of the towing and storage of the vehicle.

**REPEALER, SEVERABILITY AND EFFECTIVE DATE.**

- A. Repealer. Any and all Ordinances inconsistent with the terms of this Ordinance are hereby repealed to the extent of any such inconsistencies.
- B. Severability. In the event that any clause, section, paragraph or sentence of this Ordinance is deemed to be invalid or unenforceable for any reason, then the Township Committee hereby declares its intent that the balance of the Ordinance not affected by said invalidity shall remain in full force and effect to the extent that it allows the Township to meet the goals of the Ordinance.
- C. Effective Date. This Ordinance shall take effect upon proper passage in accordance with the law.

**Mayor Higgins** opened the public hearing on Ordinance 2018-13. There being no comments, the public hearing was closed.

A motion was offered by **Committeeman Cain** and seconded by **Committeeman Gable** to adopt Ordinance 2018-13. Motion carried on a Roll Call Vote, as follows:

**AYE: CAIN, GABLE, MAGEE, DIGIUSEPPE, HIGGINS**  
**NAY: ABSTAIN: ABSENT:**

**ORDINANCE 2018-14**  
**AN ORDINANCE TO AMEND A REDEVELOPMENT PLAN**  
**AUTHORIZED UNDER ORDINANCE 2017-4 WITHIN THE**  
**US HIGHWAY ROUTE 206 REDEVELOPMENT AREA**

**WHEREAS**, by Ordinance 2017-4, the Township Committee of the Township of Mansfield adopted a "Redevelopment Plan", for certain properties identified as an "area in need of redevelopment" pursuant to the Local Redevelopment and Housing Law, N.J.S.A 40A:12A-1 *et seq.*, which properties are specifically listed in Ordinance 2017-4; and

**WHEREAS**, said Redevelopment Plan identified as, among its purposes, the economic development of the Municipality through the creation of redevelopment areas and the establishment of various incentives; and

**WHEREAS**, identified, among its purpose, that "this Redevelopment Plan encourages private sector investment through supportive government regulations, policies and programs, including tax policies and expedited review of proposals that support commercial and light industrial development in the redevelopment area" [Redevelopment Plan, page 8, paragraph B(b), B(1)(a)]; and

**WHEREAS**, the Plan nevertheless omitted such tax policies or incentivizations authorized under both the New Jersey Redevelopment and Housing Law, the New Jersey Long Term Exemption Law, N.J.S.A. 40A:20-1 *et*

seq., and the New Jersey Five-Year Exemption and Abatement Law, N.J.S.A. 40A:21-1 et seq., and the Township Committee desires to amend said Redevelopment Plan to include among the various tools to advance redevelopment, and policies for incentivization of developers to invest private capital in the redevelopment of the Route 206 Redevelopment Area, the ability to secure, through appropriate processes, either long-term, or five-year, financial agreements.

**NOW, THEREFORE, BE IT ORDAINED AND ENACTED** by the Township Committee of the Township of Mansfield, County of Burlington and State of New Jersey as follows:

**Article I – Redevelopment Plan Amended**

The “Redevelopment Plan: U.S. Route 206 Northern Area”, adopted by Ordinance 2017-4, is hereby amended to add the following new Article III, to be inserted between Articles II “Affordable Housing Provisions”, and IV “Relationship to Municipal Development Regulations” the following:

**III. Financial Incentives.** The Township Committee shall be empowered under N.J.S.A. 40A:12A-1 et seq., N.J.S.A. 40A:21-1 et seq., and N.J.S.A. 40A:20-1 et seq., to allow for the implementation of alternative tax structures to assist in realizing the Redevelopment Plan objective and to make redevelopment projects economically feasible. The establishment of redevelopment agreements including provisions for short-term or long-term tax abatement or exemption may benefit the Township by making private investment in the properties attractive and feasible, and by increasing the long-term value of the properties. The alternative tax structures may be mutually beneficial for the Township and the redeveloper. Each project and payment structure shall be subject to an individualized program through negotiation and shall be based on the specific circumstances and development budget.

“**A. Five-Year Exemption and Abatement Law** (N.J.S.A. 40A:21-1 et seq.). The short-term exemption and abatement is an inducement for property owners to invest in their properties, as it ensures that the improvements will not result in an immediate increase in their property taxes. This tool may be used in the redevelopment and rehabilitation area for adaptive re-use and improvements to existing buildings, construction of new buildings, and the improvement or expansion of commercial or industrial structures. Tax exemption may be granted from property taxes on all or a portion of the added assessed value from an improvement or new construction. A Payment in Lieu of Taxes (“PILOT”) may then be established along with a schedule for phasing into full taxation at the end of a five-year period. Abatement may be granted to reduce the taxes for a portion of the existing assessed value of a property. Abatement is potentially available for the conversion of non-residential structures to residential use, for the construction of residential dwellings and for new commercial and industrial buildings, but not for improvements to existing commercial or industrial buildings.

“**B. Long-Term Exemption Law** (N.J.S.A. 40A:20-1 et seq.). In order to utilize long-term exemption the redevelopment project must have a public purpose linked to the Redevelopment Plan, it must be limited to a specific time period (up to 30 years), and the profits of the corporation receiving the exemption must be limited. The exemption applies to the value of the new improvements, not to the value of the land. Long-term exemptions may only be granted to an Urban Renewal Entity – a private corporation formed for the purpose of undertaking redevelopment. The Urban Renewal Entity must apply to the Township for tax exemption, and must provide all required information about the project, architectural plans, site plans, estimated project costs, sources of private capital funds, and a fiscal plan for the project, as well as such other information that the Township deems appropriate in order to evaluate the request. Instead of paying property taxes, the redeveloper pays an annual service charge to the municipality, referred to as a “PILOT” (payment in lieu of taxes). The amount is established as part of the Financial Agreement pursuant to N.J.S.A. 40A:20-1 et seq. The PILOT may be a percentage of the total project cost or the annual gross revenue. The PILOT is phased into full taxation by the end of the exemption period.”

**ARTICLE II. Repealor; Severability; Effective Date.**

**A. Repealor:** Any and all ordinances inconsistent with the terms of this Ordinance are hereby repealed to the extent any such inconsistencies.

**B. Severability:** In the event that any clause, paragraph or section of this Ordinance is deemed to be unenforceable or invalid for any reason, it is hereby declared to be the intention of the governing body that the balance of the Ordinance shall nevertheless remain in full force and effect.

**C. Effective Date:** This Ordinance shall take effect upon proper passage in accordance with the law.

Due to a conflict of interest with the above ordinance, **Mayor Higgins** recused himself from the meeting.

**Township Solicitor Gillespie** explained that the purpose of Ordinance 2018-14 is to amend a previous redevelopment plan to include financial incentives, specifically short and long term tax abatement agreements.

**Deputy Mayor DiGiuseppe** opened the public hearing on Ordinance 2018-14.

Bob Tallon, 2454 Axe Factory Road, inquired if abatement agreements are public records. **Township Solicitor Gillespie** confirmed same. Mr. Tallon then questioned if designating certain areas in need of redevelopment is an ethical action if said area contains farmland. **Township Solicitor Gillespie** explained that in order to designate an area in need of redevelopment, an extensive process must occur and be followed according to law. Regarding the redevelopment plan that spans a portion of Route 206, said lawful process was followed, and therefore it was an ethical action. Mr. Tallon then inquired if the Township Committee is the highest authority on approval of redevelopment plans. **Township Solicitor Gillespie** responded that redevelopment plans must be approved by the New Jersey Department of Community Affairs. Mr. Tallon inquired about how an abatement plan may affect school taxation, as certain percentages of payments from an abatement plan go directly to the municipality and the county, while the school district is excluded. **Township Solicitor Gillespie** explained that the choice to donate a portion of funds accrued from

an abatement plan to the School District is a discretionary decision made by the Governing Body. In essence, Mr. Gillespie summarized that an abatement plan financially incentivizes redevelopers, and redevelopment creates value. The higher the value, the more tax dollars are provided to the School District.

There being no further comments, the public hearing on Ordinance 2018-14 was closed.

A motion was offered by **Committeeman Magee** and seconded by **Committeeman Cain** to adopt Ordinance 2018-14. Motion carried on a Roll Call Vote, as follows:

**AYE: MAGEE, CAIN, DIGIUSEPPE**

**NAY: ABSTAIN: GABLE, HIGGINS ABSENT:**

**Committeeman Magee** left the meeting at 6:45PM.

**Mayor Higgins** returned to the dais.

## **RESOLUTIONS**

### **RESOLUTION 2018-9-7**

#### **A RESOLUTION TO AFFIRM MANSFIELD TOWNSHIP'S CIVIL RIGHTS POLICY WITH RESPECT TO ALL OFFICIALS, APPOINTEES, EMPLOYEES, PROSPECTIVE EMPLOYEES, VOLUNTEERS, INDEPENDENT CONTRACTORS, AND MEMBERS OF THE PUBLIC THAT COME INTO CONTACT WITH MUNICIPAL EMPLOYEES, OFFICIALS AND VOLUNTEERS**

**WHEREAS**, it is the policy of Mansfield Township to treat the public, employees, prospective employees, appointees, volunteers and contractors in a manner consistent with all applicable civil rights laws and regulations including, but not limited to the Federal Civil Rights Act of 1964 as subsequently amended, the New Jersey Law against Discrimination, the Americans with Disabilities Act and the Conscientious Employee Protection Act; and

**WHEREAS**, the governing body of Mansfield Township has determined that certain procedures need to be established to accomplish this policy.

**NOW, THEREFORE BE IT ADOPTED** by Mansfield Township that:

**Section 1:** No official, employee, appointee or volunteer of the township by whatever title known, or any entity that is in any way a part of the township shall engage, either directly or indirectly in any act including the failure to act that constitutes discrimination, harassment or a violation of any person's constitutional rights while such official, employee, appointee volunteer, or entity is engaged in or acting on behalf of the township's business or using the facilities or property of the township.

**Section 2:** The prohibitions and requirements of this resolution shall extend to any person or entity, including but not limited to any volunteer organization or inter-local organization, whether structured as a governmental entity or a private entity, that receives authorization or support in any way from the township to provide services that otherwise could be performed by the township.

**Section 3:** Discrimination, harassment and civil rights shall be defined for purposes of this resolution using the latest definitions contained in the applicable Federal and State laws concerning discrimination, harassment and civil rights.

**Section 4:** The Township Committee shall establish written procedures for any person to report alleged discrimination, harassment and violations of civil rights prohibited by this resolution. Such procedures shall include alternate ways to report a complaint so that the person making the complaint need not communicate with the alleged violator in the event the alleged violator would be the normal contact for such complaints.

**Section 5:** No person shall retaliate against any person who reports any alleged discrimination, harassment or violation of civil rights, provided however, that any person who reports alleged violations in bad faith shall be subject to appropriate discipline.

**Section 6:** The Township Committee shall establish written procedures that require all officials, employees, appointees and volunteers of the (local unit type) as well as all other entities subject to this resolution to periodically complete training concerning their duties, responsibilities and rights pursuant to this resolution.

**Section 7:** The Township Committee shall establish a system to monitor compliance and shall report at least annually to the governing body the results of the monitoring.

**Section 8:** At least annually, the Township Committee shall cause a summary of this resolution and the procedures established pursuant to this resolution to be communicated within the township. This communication shall include a statement from the governing body expressing its unequivocal commitment to enforce this resolution. This summary shall also be posted on the township's web site.

**Section 9:** This resolution shall take effect immediately.

**Section 10:** A copy of this resolution shall be published in the official newspaper of the township in order for the public to be made aware of this policy and the township's commitment to the implementation and enforcement of this policy.

#### **General Complaint Procedure:**

Any individual who observes alleged wrongdoing on the part of officials, employees, or volunteers associated with the Township of Mansfield may report such action using this procedure. This includes any action the individual believes to constitute harassment, sexual harassment, or any other wrongdoing. Employees of the Township of Mansfield shall follow the Employee Complaint Procedure. All other individuals including volunteers and members of the public may report the alleged wrongdoing to the head of the applicable department or volunteer organization, or, if they prefer, or do not think that the matter can be discussed with the head of the applicable department or organization, they should contact the Mayor or the Township Administrator.

Reporting of such incidents is encouraged both when an individual feels that he or she is subject to such incidents, or observes such incidents in reference to other individuals. The report or complaint should be in writing, but individuals may make a verbal complaint at their discretion. If an individual has any questions about what constitutes harassment, sexual harassment, or any other workplace wrongdoing, they may ask their supervisor or one of the individuals listed above. All reports of harassment, sexual harassment, or other wrongdoing will be promptly investigated by a person who is not alleged to be involved in the alleged harassment or wrongdoing. No individual will be penalized in any way for reporting a complaint. There will be no discrimination or retaliation against any individual who files a good-faith harassment complaint, even if the investigation produces insufficient evidence to support the complaint, and even if the charges cannot be proven. There will be no discrimination or retaliation against any other individual who participates in the investigation of a complaint.

If the investigation substantiates the complaint, appropriate corrective and/or disciplinary action will be swiftly pursued. Disciplinary action up to and including discharge will also be taken against individuals who make false or frivolous accusations, such as those made maliciously or recklessly. Actions taken internally to investigate and resolve harassment complaints will be conducted confidentially to the extent practicable and appropriate in order to protect the privacy of persons involved. Any investigation may include interviews with the parties involved in the incident, and if necessary, with individuals who may have observed the incident or conduct or who have other relevant knowledge. The complaining individual will be notified of a decision at the conclusion of the investigation within a reasonable time from the date of the report an incident.

A motion was offered by **Deputy Mayor DiGiuseppe** and seconded by **Committeeman Cain** to adopt Resolution 2018-9-7. Motion carried.

**RESOLUTION 2018-9-8**  
**GOVERNING BODY CERTIFICATION OF COMPLIANCE WITH THE UNITED STATES EQUAL EMPLOYMENT OPPORTUNITY COMMISSION'S "ENFORCEMENT GUIDANCE ON THE CONSIDERATION OF ARREST AND CONVICTION RECORDS IN EMPLOYMENT DECISION UNDER TITLE VII OF THE CIVIL RIGHTS ACTION OF 1964"**

**WHEREAS**, NJSA 40A:4-5 as amended by P.L. 2017, c.183 requires the Governing Body of each Municipality and county to certify that their local unit's hiring practices comply with the United States Equal Employment Opportunity Commission's "enforcement Guidance on the Consideration of Arrest and Conviction Records in Employment Decisions Under title VII of the Civil rights Act of 1964," as amended, 42 USC §2000e et seq., (April 25, 2012 before submitting its approved annual budget to the Division of Local Government Services in the New Jersey Department of Community Affairs; and

**WHEREAS**, the members of the Governing Body have familiarized themselves with the contents of the above reference enforcement guidance and with their local unit's practices as they pertain to the consideration of an individual's criminal history, as evidenced b the group affidavit form of the Governing body attached hereto.

**NOW, THEREFORE, BE IT RESOLVED**, that the Mansfield Township Committee of the township of Mansfield, County of Burlington, State of New Jersey hereby states that it has complied with NJSA 40A:4-5, as amended by P.L. 2017, c183, by certifying that the local unit's hiring practices comply with the above referenced enforcement guidance and hereby directs the Clerk to cause to be maintained and available for inspection a certified copy of this Resolution and the required affidavit to show evidence of said compliance.

A motion was offered by **Committeeman Gable** and seconded by **Deputy Mayor DiGiuseppe** to adopt Resolution 2018-9-8. Motion carried.

**RESOLUTION 2018-9-9**  
**RESOLUTION AWARDING A CONTRACT TO MICHAEL J. ROGERS, SR. (TO PROVIDE FOR CONTINUED ACCREDIATION SERVICES FOR THE MANSFIELD TOWNSHIP POLICE DEPARTMENT)**

**WHEREAS**, The Mansfield Township Police Department was granted the status as an Accredited Agency on November 10, 2011; and

**WHEREAS**, the accreditation is a testament to the dedication and hard work put forth by the officers and staff of the police department; and

**WHEREAS**, in reaching the goal of the Police Department to maintain the State Accreditation, received a formal quote to provide continued accreditation management services from Michael J. Rogers, Accreditation Manager, Freehold, New Jersey; and

**WHEREAS**, the award is being made as a quotation under the 15% bid threshold as provided by law.

**NOW, THEREFORE, BE IT RESOLVED** by the Township Committee of the Township of Mansfield, County of Burlington, and State of New Jersey, that the Mayor and Clerk are hereby authorized and directed to execute a contract with Michael J. Rogers in an amount not to exceed \$3,000 (up to 75 hours at \$40/hr.).

**Township Solicitor Gillespie** requested that the title of Resolution 2018-9-9 be changed to include "to provide for continued accreditation services."

A motion was offered by **Committeeman Cain** and seconded by **Committeeman Gable** to adopt Resolution 2018-9-9. Motion carried on a Roll Call Vote, as follows:

**AYE: CAIN, GABLE, DIGIUSEPPE, HIGGINS**

**NAY: ABSTAIN: ABSENT: MAGEE**

**RESOLUTION 2018-9-10**  
**RESOLUTION FOR THE CANCELLATION OF**

**TAXES DUE TO VETERAN EXEMPTION**

**WHEREAS, N.J.S.A.54:4-3.30A allows for the exemption from taxation from real and personal property for any citizen and resident of the State who has a total or 100% permanent disability as defined by this statute; and,**

**WHEREAS,** the properties listed below are owned by a 100% Disabled Veteran.

**NOW, THEREFORE, BE IT RESOLVED,** that the Township Committee of the Township of Mansfield, County of Burlington, State of New Jersey, hereby memorializes the cancellation of the following **2018** taxes:

<b>Block</b>	<b>Lot</b>	<b>Property Owner</b>	<b>Amount</b>
42.11	128	Salvatore Marinello	\$3,430.18 (2018 Effective 6/20/18)

**RESOLUTION 2018-9-11  
RESOLUTION FOR THE CANCELLATION OF  
TAXES DUE TO VETERAN EXEMPTION**

**WHEREAS, N.J.S.A.54:4-3.30A allows for the exemption from taxation from real and personal property for any citizen and resident of the State who has a total or 100% permanent disability as defined by this statute; and,**

**WHEREAS,** the properties listed below are owned by a 100% Disabled Veteran.

**NOW, THEREFORE, BE IT RESOLVED,** that the Township Committee of the Township of Mansfield, County of Burlington, State of New Jersey, hereby memorializes the cancellation of the following **2018** taxes:

<b>Block</b>	<b>Lot</b>	<b>Property Owner</b>	<b>Amount</b>
42.13	33	Edward Mazzeo	\$3,133.29 (2018 Effective 5/30/18)

**RESOLUTION 2018-9-12  
RESOLUTION FOR THE REFUND OF VETERAN TAX DEDUCTION**

**WHEREAS,** a Veteran Tax Deduction were allowed on the property listed below for the year 2017; and  
**WHEREAS,** this allowance resulted in an overpayment on said property, and the refund is due to the homeowner.

**NOW, THEREFORE, BE IT RESOLVED** that the Township Committee of the Township of Mansfield, County of Burlington, State of New Jersey at their regular meeting held on September 19, 2018 hereby authorizes the refunding of the following:

<b>Block</b>	<b>Lot</b>	<b>Property Owner</b>	<b>Deduction</b>	<b>Amount</b>
42.19	21	Ruth Ann Parker	Widow of Veteran	\$250.00

**RESOLUTION 2018-9-13  
RESOLUTION FOR THE REFUND OF TAX DUE TO VETERAN EXEMPTION**

**WHEREAS,** the homeowner listed was declared to be a Disabled Veteran; and,

**WHEREAS,** the homeowner, therefore is totally exempt from paying property taxes according to N.J.S.A. 54:4-3.30; and,

**WHEREAS,** the homeowner paid the Taxes for 2018.

**NOW, THEREFORE, BE IT RESOLVED,** that the Township of Committee of the Township of Mansfield, County of Burlington and State of New Jersey at their Regular Meeting held on September 19, 2018 hereby authorizes the Tax Collector to refund taxes to the following, retroactive to June 20, 2018.

<b>Block</b>	<b>Lot</b>	<b>Property Owner</b>	<b>Amount</b>
42.11	128	Salvatore Marinello	\$470.98

**RESOLUTION 2018-9-14  
RESOLUTION FOR THE REFUND OF TAX DUE TO VETERAN EXEMPTION**

**WHEREAS,** the homeowner listed was declared to be a Disabled Veteran; and,

**WHEREAS,** the homeowner, therefore is totally exempt from paying property taxes according to N.J.S.A. 54:4-3.30; and,

**WHEREAS,** the homeowner paid the Taxes for 2018.

**NOW, THEREFORE, BE IT RESOLVED,** that the Township of Committee of the Township of Mansfield, County of Burlington and State of New Jersey at their Regular Meeting held on September 19, 2018 hereby authorizes the Tax Collector to refund taxes to the following, retroactive to May 30, 2018.

<b>Block</b>	<b>Lot</b>	<b>Property Owner</b>	<b>Amount</b>
42.13	33	Edward Mazzeo	\$490.12

A motion was offered by **Committeeman Gable** and seconded by **Committeeman Cain** to adopt Resolution 2018-9-10 through Resolution 2018-9-14. Motion carried on a Roll Call Vote, as follows:

**AYE: GABLE, CAIN, DIGIUSEPPE, HIGGINS**  
**NAY: ABSTAIN: ABSENT: MAGEE**

**RESOLUTION 2018-9-15**

**RESOLUTION AUTHORIZING THE SUBMISSION OF A 2019 NEW JERSEY DEPARTMENT OF  
TRANSPORTATION – MUNICIPAL AID GRANT APPLICATION  
AND EXECUTION OF A GRANT AGREEMENT FOR THE RESURFACING  
OF RAILROAD AVENUE & WHITE PINE ROAD.**

**WHEREAS**, the Township of Mansfield wishes to apply for and obtain funding through the New Jersey Department of Transportation – Municipal Aid grant program for the completion of the Resurfacing of Railroad Avenue & White Pine Road.

**NOW, THEREFORE, BE IT RESOLVED**, that the Township Committee of the Township of Mansfield, do hereby authorize the submission of such a grant application, for the said project, titled *MA-2019-Resurfacing of Railroad Avenue & White Pine Road – 00393*.

**BE IT FURTHER RESOLVED**, that upon the receipt of a grant award the Mayor, and/or Clerk are hereby authorized to sign the grant agreement and that their signatures constitute acceptance of the terms and conditions of the grant agreement.

**Mayor Higgins** inquired if two applications were permissible under the same grant. **Township Administrator Fitzpatrick** confirmed same.

A motion was offered by **Committeeman Cain** and seconded by **Committeeman Gable** to adopt Resolution 2018-9-15. Motion carried on a Roll Call Vote, as follows:

**AYE: CAIN, GABLE, DIGIUSEPPE, HIGGINS**  
**NAY: ABSTAIN: ABSENT: MAGEE**

**RESOLUTION 2018-9-16  
RESOLUTION AUTHORIZING THE SUBMISSION OF A 2019 NEW JERSEY DEPARTMENT OF  
TRANSPORTATION – MUNICIPAL AID GRANT APPLICATION AND EXECUTION OF A GRANT  
AGREEMENT FOR THE RESURFACING OF GAUNTS BRIDGE ROAD**

**WHEREAS**, the Township of Mansfield wishes to apply for and obtain funding through the New Jersey Department of Transportation – Municipal Aid grant program for the completion of the Resurfacing of Gaunts Bridge Road.

**NOW, THEREFORE, BE IT RESOLVED**, that the Township Committee of the Township of Mansfield do hereby authorize the submission of such a grant application, for the said project, titled *MA-2019- Resurfacing of Gaunts Bridge Road - 00397*.

**BE IT FURTHER RESOLVED**, that upon the receipt of a grant award the Mayor, and/or Clerk are hereby authorized to sign the grant agreement and that their signatures constitute acceptance of the terms and conditions of the grant agreement.

A motion was offered by **Committeeman Gable** and seconded by **Committeeman Cain** to adopt Resolution 2018-9-16. Motion carried on a Roll Call Vote, as follows:

**AYE: GABLE, CAIN, DIGIUSEPPE, HIGGINS**  
**NAY: ABSTAIN: ABSENT: MAGEE**

A motion was offered by **Committeeman Gable** and seconded by **Committeeman Cain** to amend the agenda to include Resolution 2018-9-17. Motion carried.

**RESOLUTION 2018-9-17  
RESOLUTION APPOINTING ERNEST BOGLEY AS PUBLIC OFFICER FOR THE PURPOSE OF  
ESTABLISHING AN ABANDONED HOUSING LIST**

**WHEREAS**, pursuant to N.J.S.A. 55:19-55, local governmental units are authorized to appoint a Public Officer to identify abandoned properties and establish an abandoned property list; and

**WHEREAS**, the establishment of an abandoned property list is an important tool in combating blight as it allows the Township to pursue further legal remedies with respect to properties on the list; and

**WHEREAS**, the Township Committee believes Ernest Bogley, who currently serves as the municipal Property Maintenance Official, is qualified to fulfill the role of Public Officer pursuant to N.J.S.A. 55:19-55 and N.J.S.A. 55:19-54.

**NOW, THEREFORE, BE IT RESOLVED**, by the Township Committee of the Township of Mansfield, County of Burlington, State of New Jersey that Ernest Bogley, the Township Property Maintenance Official, is appointed the Public Officer pursuant to N.J.S.A. 55:19-55, N.J.S.A. 55:19-54.

**Deputy Mayor DiGiuseppe** explained that the above noted position is related to Ordinance 2018-11, and that said employee would be responsible for establishing a list of abandoned properties and take legal action against the same if necessary.

A motion was offered by **Committeeman Cain** and seconded by **Deputy Mayor DiGiuseppe** to adopt Resolution 2018-9-17. Motion carried on a Roll Call Vote, as follows:

**AYE: CAIN, DIGIUSEPPE, GABLE, HIGGINS**  
**NAY: ABSTAIN: ABSENT: MAGEE**

**BILL LIST: Regular and Escrow**

A motion was offered by **Deputy Mayor DiGiuseppe** and seconded by **Committeeman Cain** to approve the bill list. Motion carried on a Roll Call Vote, as follows:

**AYE: DIGIUSEPPE, CAIN, GABLE, HIGGINS**  
**NAY: ABSENT: MAGEE ABSTAIN: GABLE (8216)**  
**HIGGINS (8250, 8251, 8252, 8268)**

**REPORTS: Clerk, Tax Collector, Court, Construction, EMS, Finance, Zoning, Police**

**Mayor Higgins** inquired about employee contributions for health insurance, as there appears to be a deficit of \$100,000 in the current fund due to bills relating to same.

**Deputy Treasurer Grouser** explained that said payments are automatically placed in the payroll trust fund once they are deducted from employee paychecks, and are then transferred to the current fund to offset health insurance bills. This transfer had yet to occur before the submission of the Finance Report, resulting in what appears to be a \$100,000 deficit in the current fund. In summary, no legitimate deficit in said amount exists within the current fund.

A motion was offered by **Deputy Mayor DiGiuseppe** and seconded by **Committeeman Gable** to accept the above listed reports. Motion carried.

**MINUTES**

- August 15, 2018

A motion was offered by **Committeeman Gable** and seconded by **Committeeman Cain** to approve the minutes of August 15, 2018. Motion carried on a Roll Call Vote, as follows:

**AYE: GABLE, CAIN, HIGGINS**  
**NAY: ABSTAIN: DIGIUSEPPE ABSENT: MAGEE**

- September 6, 2018

A motion was offered by **Committeeman Cain** and seconded by **Deputy Mayor DiGiuseppe** to approve the minutes of September 6, 2018. Motion carried.

**DISCUSSION**

**A. Panic Button (Land Use/Finance/Construction)**

**B. Key Fobs for All Employees**

**Township Administrator Fitzpatrick** explained that at the previous Safety Meeting, the idea of installing panic buttons and key fobs in certain areas in the Municipal Complex was addressed in order to further secure the building. This concept was brought forth due to a recent incident in which members of the public accessed employee only zones. Mr. Fitzpatrick further noted that there are available funds in the budget specifically designated for safety needs to be utilized.

**Committeeman Cain** questioned how a panic button functions. Mr. Fitzpatrick responded that once said button is activated, the Police Department is immediately notified of the emergent situation and in which department to report.

**Mayor Higgins** inquired if there was an anticipated cost to install the security devices. Mr. Fitzpatrick stated that if Township Committee expresses interest in same, he will obtain quotes. Township Committee agreed to move forward.

**C. Speaker Box for Tax Window: Township Administrator Fitzpatrick** noted that the Safety Committee has discussed the installation of a speaker box in the Finance Department to make conversations with residents more feasible. The same will also deter safety concerns, as employees oftentimes unlock the office door to communicate with hard of hearing residents. **Mayor Higgins** requested that Mr. Fitzpatrick obtain a quote for same.

**D. Farmland Preservation Property: Municipal Clerk Semus** stated that correspondence was received from Burlington County inquiring if the township would be interested in participating in the farmland preservation program for targeted areas. Township Committee expressed support for the promotion of farmland preservation; however, the township does not have the funds to participate in the County's program at this time. Committee authorized Mrs. Semus to respond to the County's request via letter reflecting same.

**E. Recreation: Deputy Mayor DiGiuseppe** spoke highly of the Recreation Committee, and noted various points of discussion brought forth at the previous meeting of the same, including obtaining quotes for lighting at the park in Mapleton, the adjustment of field usage fees to reflect that of private organizations, the utilization of better quality mulch on municipal parks, and the possibility of exploring fundraising and grant opportunities.

- Northern Burlington High School Football Booster Club - Use of Mansfield Community Park for Bon Fire on October 12, 2018 from 6:00PM to 9:30PM.

**Committeeman Gable** stated that the Recreation Committee approved the above noted field usage permit with the condition that participants clean debris from the event to avoid a fine of \$250. Mr. Gable also suggested that the bon fire be rotated every year between the sending districts of the high school. Township Committee agreed with same.

A motion was offered by **Committeeman Gable** and seconded by **Deputy Mayor DiGiuseppe** to approve the above listed field usage permit. Motion carried on a Roll Call Vote, as follows:

**AYE: GABLE, DIGIUSEPPE, CAIN, HIGGINS**

**NAY: ABSTAIN: ABSENT: MAGEE**

**Municipal Clerk Semus** stated that she received an additional field usage request from the Recreation Committee to operate a seven (7) game baseball tournament. The insurance certificate is already in place, and the Recreation Committee has considered approval for same pending authorization from Township Committee.

Colleen Herbert, Chair of the Recreation Committee, stated that no manpower or expense will be required on behalf of the township for the operation of the aforementioned tournament. However, final approval of the event by the Recreation Committee is still a matter of discussion.

A motion was offered by **Committeeman Gable** and seconded by **Deputy Mayor DiGiuseppe** to tentatively approve said baseball tournament pending final approval by the Recreation Committee. Motion carried.

#### **PUBLIC COMMENTS**

Colleen Herbert, 2 Millennium Drive, stated that the other sending districts have appropriate facilities to host the football booster's bon fire, and if feasible, suggested that the event be rotated amongst the same.

**Mayor Higgins** expressed that it is beneficial for students to have parents involved in school sports.

On a separate topic, Ms. Herbert inquired as to why Remington and Vernick Engineers has been awarded an engineering contract instead of Carroll Engineering. **Township Administrator Fitzpatrick** explained that the Township Committee, at its Reorganization Meeting, appointed two alternate engineers, and that the decision to move forward with RVE on a certain project is due to cost savings. **Mayor Higgins** also made a point to note that the second alternate firm, CME Associates, will be awarded a separate contract, and that certain firms specialize in certain areas.

Kimberly Clark, 3193 Route 206, detailed various concerns over her neighboring property currently known as the Ad-Dawah Center, and the multiple code violations that appear to exist relating to same. Furthermore, Mrs. Clark expressed her disappointment the said violations do not seem to have been addressed appropriately. **Township Solicitor Gillespie** explained that Ms. Clark has valid concerns which should be brought before the Planning Board, as the Township Committee does not have jurisdiction over such matters. Lengthy discussion continued between Mrs. Clark, Mr. Gillespie, and Township Committee. After much dialogue, **Township Solicitor Gillespie** advised that the matter no longer be discussed during the current forum as the vote of

the Governing Body members that also hold positions on the Planning Board could be deemed prejudiced and invalid during a meeting of the latter body.

There being no more comments, the Public Comment section of the meeting was closed.

**MAYOR AND COMMITTEE COMMENTS**

**Deputy Mayor DiGiuseppe** expressed hope that a satisfactory resolution will be given to Mrs. Clark.

**Committeeman Cain** and **Committeeman Gable** thanked the public for attending and participating in tonight's meeting.

**Mayor Higgins** thanked **Deputy Treasurer Grouser** for attending tonight's meeting.

**ADJOURNMENT**

A motion was offered by **Committeeman Gable** and seconded by **Committeeman Cain** to adjourn the meeting. Motion carried. Meeting adjourned at 7:58PM.

**Prepared by:**

**Respectfully submitted by:**

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**Caitlin Midgette, Deputy Clerk**

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**Linda Semus, Municipal Clerk**

**APPROVED:**